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Attorney for Defendant
GILBERT RAMIREZ

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,

vs.

GILBERT RAMIREZ,
Defendant.

Case No.: 2:23-cr-016 TLN

STIPULATION AND ORDER TO
CONTINUE STATUS CONFERENCE

Date: May 23, 2024
Time: 9:30 a.m.
Court: Hon. Troy L. Nunley

Plaintiff United States of America by and through Assistant United States Attorney Emily
G. Savageau, and Attorney Todd Leras on behalf of Defendant Gilbert Ramirez, stipulate as
follows:

1. This matter was previously set for a status conference on May 23, 2024. The Court
subsequently issued a Minute Order canceling the May 23rd Criminal Calendar and
directing the parties to select a new status conference date.

ORDER CONTINUING
STATUS CONFERENCE

- 1 2. The parties request that the status conference be continued to July 18, 2024, at 9:30
2 a.m. The parties further request that the time between May 23, 2024, and July 18,
3 2024, be excluded for attorney preparation.
- 4 3. This case involves a charged conspiracy to distribute fentanyl and methamphetamine
5 as well as distinct charges of actual distribution of fentanyl and methamphetamine.
6 Given the recent substitution request filed by new counsel, the defense requires
7 additional time to review discovery materials and conduct defense investigation into
8 possible defenses.
- 9 4. Defendant Gilbert Ramirez is housed in pretrial custody at the Yuba County Jail, in
10 Marysville, California. The Yuba County Jail is approximately 45 miles from
11 defense counsel's downtown Sacramento office. Travel is therefore required for
12 client visits, discovery review, and discussion of defense investigation.
- 13 5. Present defense counsel substituted into this case in November 2023. Defense
14 counsel recently completed a lengthy jury trial in a criminal RICO conspiracy matter
15 before Chief Judge Mueller in the case of *United States v. Yandell, Sylvester, and*
16 *Troxell*, Case No. 2:19-cr-109 KJM. Trial scheduling in that matter interfered with
17 the ability to conduct in person meetings with Mr. Ramirez in this case. Additional
18 defense preparation and investigation is therefore ongoing in this matter.
- 19 6. Based on the need for defense investigation, Defendant Ramirez requests to continue
20 the status conference in this matter to July 18, 2024, at 9:30 a.m., and to exclude time
21 between May 23, 2024, and July 18, 2024, inclusive, under Local Code T-4. The
22 United States does not oppose this request.
- 23 7. For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, *et*

1 *seq.*, within which trial must commence, the time period of May 23, 2024, to July 18,
2 2024, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), and (B)
3 (iv) [Local Code T-4] because it results from a continuance granted by the Court at
4 Defendant Ramirez's request on the basis that the ends of justice served by taking
5 such action outweigh the best interest of the public and the Defendant in a speedy
6 trial.
7

- 8 8. Nothing in this stipulation and order shall preclude a finding that other provisions of
9 the Speedy Trial Act dictate that additional time periods are excludable from the
10 period within which a trial must commence.
11

12 Assistant U.S. Attorney Emily Savageau has reviewed this proposed order and authorized
13 Todd Leras via email to sign it on her behalf.

14 DATED: May 22, 2024

PHILLIP A. TALBERT
United States Attorney

16 By /s/ Todd D. Leras for
17 EMILY G. SAVAGEAU
Assistant United States Attorney

18 DATED: May 22, 2024

19 By /s/ Todd D. Leras
20 TODD D. LERAS
Attorney for Defendant
21 GILBERT RAMIREZ

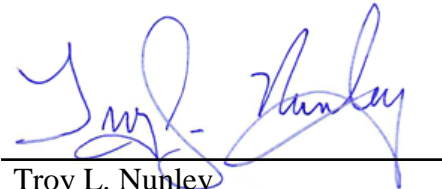
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28 ORDER CONTINUING
STATUS CONFERENCE

ORDER

BASED ON THE REPRESENTATIONS AND STIPULATION OF THE PARTIES, it is hereby ordered that a new status conference in this matter is set for **July 18, 2024, at 9:30 a.m.**, before the Honorable Troy L. Nunley. The Court further finds, based on the representations of the parties and Defendant Ramirez's request, that the ends of justice served by granting the continuance outweigh the best interests of the public and the Defendant in a speedy trial. Time shall be excluded under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(B)(iv) and Local Code T-4, to allow necessary attorney preparation taking into consideration the exercise of due diligence for the period from May 23, 2024, up to and including July 18, 2024.

IT IS SO ORDERED.

DATED: May 23, 2024


Troy L. Nunley
United States District Judge

ORDER CONTINUING
STATUS CONFERENCE